

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT(S): Livingston et al.
APPLICATION NO: 10/009,584
FILING DATE: December 4, 2001
FOR: Identification of Compounds that Modify Transcriptional Responses to Hypoxia
EXAMINER: Not Yet Assigned
ART UNIT: Not Yet Assigned

BOX IDS

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, full copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

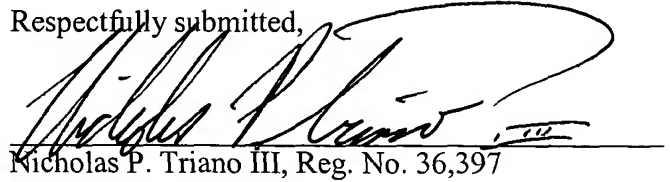
This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicant understands that the Examiner will make an independent evaluation of the cited publications.

Applicants respectfully request that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed Form PTO-1449 to evidence that the cited information has been fully considered by the PATENT AND TRADEMARK OFFICE during the examination of this application.

Under 37 C.F.R. § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure

Statement, please charge the appropriate fee as required under 37 CFR 1.17(p) to our Deposit Order Account No. 50-0311 (Reference No. 20363-012 NATL).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicholas P. Triano III", is written over a horizontal line.

Nicholas P. Triano III, Reg. No. 36,397
Attorney for Applicants
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Dated: February 1, 2002

TRA 1625145v1

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Date of Deposit: February 1, 2002

Attorney Docket No.: 20363-012 NATL

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#7

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages);
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Cited References A1 and C1-C8; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

No fee is believed to be due. However, if necessary, the Commissioner is authorized to charge any underpayment, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 20363-012 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Nicholas P. Triano III, Reg. No. 36,397
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Dated: February 1, 2002

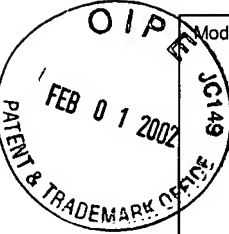
Please type a plus sign (+) in this box

PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

 Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	10/009,584
	Filing Date	12/04/01
	First Named Inventor	Livingston
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	20363-012 NATL

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,658,784	08/19/97	Eckner et al.			04/14/94

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Arany et al. (1996). <i>Proc. Natl. Acad. Sci. USA</i> <u>93</u> : 12969-12973.
	C2	Bhattacharya et al. (1999). <i>Genes and Development</i> <u>13</u> : 64-75.
	C3	Ebert et al. (1998). <i>Mol. and Cell. Biol.</i> <u>18</u> : 4089-4096.
	C4	Ema et al. (1999). <i>The EMBO J.</i> <u>18</u> : 1905-1914.
	C5	Jiang et al. (1997). <i>J. of Biol. Chem.</i> <u>272</u> : 19253-19260
	C6	Kallio et al. (1998). <i>The EMBO J.</i> <u>17</u> : 6573-6586.
	C7	Newton et al. (2000). <i>J. of Biol. Chem.</i> <u>275</u> : 15128-15134.
	C8	Zhong et al. (2000). <i>Cancer Res.</i> <u>60</u> : 1541-1545.

*A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRA 1625119v1

TRA 1622056v1